

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

DATATERN, INC.

Plaintiff,

v.

ABBOTT LABORATORIES, et al.,

Defendants.

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**No. 2:11-cv-203-MHS-CMC**

**JURY TRIAL DEMANDED**

**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE**

The Plaintiff, DataTern, Inc. (“Plaintiff”) and Defendant URS Corporation (“Defendant”), pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims in this action WITH PREJUDICE and dismissing all counterclaims as MOOT, subject to the terms of that certain agreement entitled “SETTLEMENT AGREEMENT,” with each party to bear its own costs, expenses and attorneys’ fees.

Respectfully submitted,

/s/ Steven E. Aldous

Steven E. Aldous

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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that on January 2, 2013, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Steven E. Aldous